

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

File No. 1:06-CV-166

v.

HON. ROBERT HOLMES BELL

AURIFEX COMMODITIES RESEARCH
COMPANY, AURIFEX RESEARCH L.L.C.,
TY KLOTZ, individually and d/b/a AURIFEX
INVESTMENTS, and MONETTE KLOTZ,
individually and d/b/a AURIFEX
INVESTMENTS,

Defendants.

MEMORANDUM OPINION AND ORDER
AUTHORIZING RECEIVER TO SELL REAL PROPERTY

This matter comes before the Court on the Receiver's Motion to Sell Real Property for the Benefit of the Receivership Estate.

On March 27, 2006, this Court appointed Rodger D. Young as Receiver for Defendants Aurifex Commodities Research Company, Aurifex Research, L.L.C., Ty Klotz, individually and d/b/a Aurifex Investments, and Monette Klotz, individually and d/b/a Aurifex Investments, and their affiliates and subsidiaries, (the "Receivership Defendants"), and authorized him to take control over all of the funds, properties, accounts and other assets directly or indirectly owned, beneficially or otherwise, by the Receivership Defendants.

In furtherance of his duties the Receiver has taken possession of the following four parcels of real property (the "Properties") and has had them appraised:

Property	Appraisal Value
241 West Maple, Mason, Michigan	\$31,000.00
109 North Emma, Christopher, Illinois	\$12,000.00
101 East Main Street, Benton, Illinois	\$31,000.00
920 Broadway, Emmetsburg, Iowa	\$85,000.00

The Receiver has advised that it is in the best interest of the Receivership Estate to sell the Properties. He has requested authority to issue limited warranty deeds for the sale of the Properties "at not less than the appraisal price thereof." (Docket # 128). In a subsequent filing the Receiver has requested authority to sell the Properties "at the appraised price or as close thereto as he can reasonably obtain." (Docket # 135).

The only objection the Court has received to the Receiver's request for authorization to sell the Properties was filed by Richard Robbins. (Docket # 133). The Receiver has notified the Court that Mr. Robbins' objection has been resolved. (Docket # 135). The Court is aware of no remaining objections to the sale of the Properties and it appears that the sale of the Properties is in the best interest of the Receivership Estate. Accordingly,

IT IS HEREBY ORDERED that the Receiver's Motion to Sell Real Property for the Benefit of the Receivership Estate (Docket # 128) is **GRANTED**.

IT IS FURTHER ORDERED that the Receiver is authorized to issue limited warranty deeds for the sale of the Properties for the best price he can reasonably obtain, but

in no event shall he sell any of the Properties for less than 10% below the appraised value without first obtaining leave of Court.

Date: March 28, 2007

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE